

FILED & ENTERED

MAY 01 2013

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY egarcia DEPUTY CLERK

NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re:

SCI REAL ESTATE INVESTMENTS,
LLC, a Virginia limited liability company,

SECURED CALIFORNIA
INVESTMENTS, INC., a California
corporation;

Debtors.

Case No. 2:11-bk-15975-PC

Adversary No. 2:13-ap-01175-PC

Chapter 11

WILLIAM HOFFMAN, not individually
but solely as Liquidating Trustee of the
SCI Bankruptcy Liquidating Trust,

Plaintiff,

v.

JOEL D. and FAY S. ADELMAN, et al.,

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Date: April 16, 2013

Time: 9:30 a.m.

Place: United States Bankruptcy Court
Courtroom # 1468
255 East Temple Street
Los Angeles, CA 90012

Based on findings of fact and conclusions of law set forth in the Memorandum Decision
of even date herewith, it is

ORDERED that the motion of Defendants, Joel D. Adelman, et al. ("Defendants") to
dismiss Plaintiff's Complaint for: (1) Avoidance and Recovery of Actual Fraudulent Transfers
[11 U.S.C. §§ 544(B), 550(A), 551 and California Uniform Fraudulent Transfer Act, Cal. Civ.


1 Code Sections 3439.01 – 3439.12]; (2) Avoidance and Recovery of Constructive Fraudulent
2 Transfers [11 U.S.C. §§ 544(B), 550(A), 551 and California Uniform Fraudulent Transfer Act,
3 Cal. Civ. Code Sections 3439.01 – 3439.12]; and (3) Second Omnibus Objection to and
4 Disallowance of Claims Held by Defendants [See Attached Exhibit 1 for List of Defendants’
5 Proofs of Claim] [11 U.S.C. §§ 502(B)(1) and 502(D)] (“Complaint”) is granted pursuant to
6 F.R.Civ.P. 12(b)(6) with leave to amend; and it is further

7 ORDERED that Plaintiff must file and serve Plaintiff’s First Amended Complaint not
8 later than June 3, 2013; and it is further

9 ORDERED that Defendants must file and serve an answer or other response to Plaintiff’s
10 First Amended Complaint not later than June 28, 2013.

11 ###

24 Date: May 1, 2013

23 
25 Peter H. Carroll
26 United States Bankruptcy Judge

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*): **Order Granting Defendants' Motion to Dismiss** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner stated below:

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF) – Pursuant to controlling General Orders and LBRs, the foregoing document was served on the following persons by the court via NEF and hyperlink to the judgment or order. As of (*date*) 05-1-2013, the following persons are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email addresses stated below.

- Kay S Kress kressk@pepperlaw.com, alexsym@pepperlaw.com
- Christine M Pajak cpajak@stutman.com
- Penelope Parmes pparmes@rutan.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

☐ Service information continued
on attached page

2. SERVED BY THE COURT VIA UNITED STATES MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States mail, first class, postage prepaid, to the following persons and/or entities at the addresses indicated below:

☐ Service information continued
on attached page